



2151  
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PATENT 12 Rec 03

Attorney Docket No. 24717-706

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor(s): Omar C. Baldonado, et al.	)	
	)	Art Unit: 2151
Application No.: 09/923,924	)	
	)	Examiner: Unassigned
Filed: August 6, 2001	)	
	)	
Title: METHOD AND APPARATUS FOR	)	
PERFORMANCE AND COST	)	
OPTIMIZATION IN AN INTERNETWORK	)	

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.



☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☒ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☐ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --  
☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; **or**  
☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

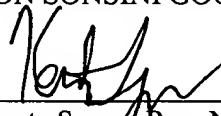
☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and  
B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**  
C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.24717-706).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

By:   
Kenta Suzue, Reg. No. 45,145

Dated: 9/3/03

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<b>Substitute for form 1449/PTO</b> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				<b>Application No.</b>	09/923,924
				<b>Filing Date</b>	August 6, 2001
				<b>First Named Inventor</b>	Baldonado
				<b>Art Unit</b>	2151
				<b>Examiner Name</b>	Not Yet Assigned
<b>Sheet</b>	<b>1</b>	<b>Of</b>	<b>2</b>	<b>Attorney Docket No.</b>	24717-706

U.S. PATENT DOCUMENTS					
Examiner's Initials	Cite No. <sup>1</sup>	Document No.	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,282,562 B1	08/28/2001	Sidi, et al.	
		US-5,375,070	12/20/1994	Hershey, et al.	
		US-5,974,457	10/26/1999	Waclawsky, et al.	
		US-2001/0037311 A1	11/01/2001	McCoy, et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner's Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
EXAMINER SIGNATURE			DATE CONSIDERED			

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1 Applicant's unique citation designation number (optional) 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST .3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.